

U.S. Department of Justice



United States Attorney
Southern District of New York

MEMO ENDORSED

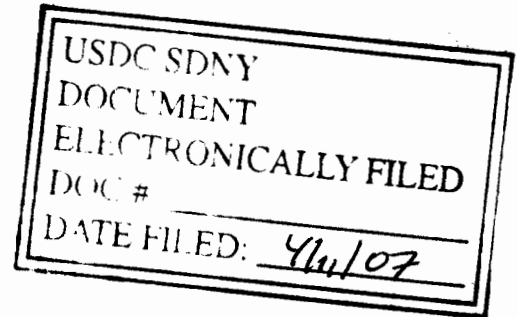
The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 4, 2007

By Facsimile

The Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 920
New York, New York 10007-1312

Re: United States v. Montgomery, et al.
S4 05 Cr. 1067 (KMK)



Dear Judge Karas:

The Government respectfully submits this letter in support of its request that the Court order, pursuant to Rule 15(h) of the Federal Rules of Criminal Procedure, that the deposition of Mahmoud Abul be taken in connection with the above-referenced case.

Rule 15(h) permits the parties to take a deposition by agreement, with the Court's consent.

Mr. Abul is located in Kuwait, beyond the Court's subpoena power, but has agreed to have his deposition taken in connection with this trial. Mr. Abul is an official with the Kuwait Amateur Athletic Federation. In or about 2004 and after, Abul was discussing with Riddick the possibility of defendant Steven Riddick's training Kuwaiti athletes. The Government expects that Abul will testify about, among other things, his discussions with Riddick.

Based on the Government's discussions with defense counsel, including, in particular, Bryan H. Hoss, Esq., counsel for Riddick, I can represent that the defense does not object to the proposed deposition.


The Honorable Kenneth M. Karas
April 4, 2007
Page 2

Counsel for Riddick and the Government have agreed upon a procedure for the production of certain documents prior to the deposition of Mr. Abul.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:



E. Danya Perry/Daniel W. Levy
Assistant United States Attorneys
Telephone: (212) 637-2434/-1062

SO ORDERED:



The Honorable Kenneth M. Karas
United States District Judge

4/4/07

cc: (by facsimile)
Thomas H. Nooter, Esq.
Denis P. Kelleher, Jr., Esq.
Bryan H. Hoss, Esq.
Timothy J. Heaphy, Esq.
Bruce A. Barket, Esq.